



Chair Alcorn asked what type of services are being provided and soon-to-be provided by Comcast.

Mr. Garcia noted that Comcast is currently providing digital cable and high-speed broadband Internet services to its customers. Comcast also plans to roll out several new features, such as video on demand, in the near future.

Commissioner P. Gupta asked how Milpitas cable service issues are currently being handled. Mr. Garcia noted that, currently Milpitas cable service issues are handled through the existing AT&T cable call-centers. In the coming months new local bay area call centers will be in place to help Comcast customers and to better provide localized service.

Commissioner Lam asked if Mr. Garcia was aware of service outages with the cable and Internet services in Milpitas. Mr. Garcia was not aware of specific problems with cable and the Internet services. He added that he would investigate and work with city staff on finding out what outages may be occurring and report back to the Commission.

Commissioner Lam also added that he experienced confusion with the billing of services with the company and had to spend several days to correct the problem. Mr. Garcia added that he would work on finding answer for the Commission.

Vice Chair N. Gupta asked of the change of email addresses. Mr. Garcia noted that new email addresses would change over time. Unlike the @Home-AT&T email change of email addresses, Comcast has an agreement with AT&T to slowly move customers over to new email addresses.

Commissioner Mathur asked if Comcast would be managing the telephone services of AT&T and how many bills would that involve. Mr. Garcia noted that Comcast would manage the local telephone services over its cable lines as provided by AT&T. Long distance telephone service would be handled by AT&T. Comcast has a roll out planned for its customers to provide I P telephony services in the coming months. As for the monthly billing statements, all customers should be receiving billing statements that say Comcast and the goal will be to provide a single bill to its customers.

Commissioner P. Gupta noted that isolated service matters might not be representative what Mr. Garcia is reporting to the Commission and that there may be more than what is being reported.

Commissioner Lam what to know what the base line Internet speeds are for the broadband services. Mr. Garcia respectfully could not provide that information but would work with Comcast engineers to report back to the Commission.

Chair Alcorn asked if members of the public were interested in speaking on this agenda item.

Mr. Matthew O'Brien, 2173 Sepulveda, Milpitas, thanked the Commission for having this item for discussion. Mr. O'Brien noted that he was an early adopter of the @ Home broadband service and has transitioned to the AT&T broadband service and is currently with Comcast broadband. He also noted that he is not a cable television subscriber.

He wanted to address two items involving service and quality issues with Comcast.

Mr. O'Brien added that there have been improvements compared to early days of @Home broadband customer service standards; however, there is more work to be done. Based on his years of experience with the service Mr. O'Brien noted that a technician reported to him that the Milpitas Broadband network was not designed properly to handle the load of users. Too many Internet users for the Comcast network to handle at one time. Therefore the network is programmed to randomly disconnect users at high peak periods during the day. He noted that this would not be fixed until the Comcast invests in more equipment to handle the loads of Internet users.

Addressing the area of quality of service, Mr. O'Brien added that in order for him to get compensation for service outages he much navigate through a phone several minutes of tree prompts before speaking to a live person and that is before being on hold for additional 15 minutes. Even then he is unable to get a satisfactory answer to his broadband service matters.

He also added that the telecommunications industry practice of bundling services to prospective consumers is monopolistic and feels that the services are overpriced for customers seeking Internet services. He feels limited as to choices being offered to him at this time. He recommends that the Commission hold Comcast accountable as it reviews its franchise with the City of Milpitas. How much more can consumers be overpriced for services provided by Comcast.

Chair Alcorn noted that the franchise with the city is for cable television programming services only. It has no involvement with the high-speed cable Internet service being offered to Milpitas residents.

Commissioner Mathur added at what point does prices for Internet services being to level off. Commissioner Peterson added that consumer could consider other Internet services offered by SBC and Sprint wireless Internet companies if available. Commissioner Munir added that wireless Internet is readily available and sometimes costly.

Commissioner Mathur asked Mr. Garcia if Comcast was bundling being offered to consumers.

Mr. Garcia, with Comcast, noted that he is willing to work with Mr. O'Brien in finding a solution for this internet needs

and concerns. As for the matter of bundling, Comcast has used this practice of offering bundling services for cable television and Internet. For former AT&T cable customers, it is a new concept of marketing services to consumers that was not offered before.

Vice Chair N. Gupta asked the question of responsible parties handling calls from subscribers and being accountable. Mr. Garcia, noted that with the redirection of all local service calls to local call centers Comcast plans to have a better level of customer service that is responsive and accountable to cable subscribers needs. He also noted that Comcast adheres to FCC guidelines as to proper notifying 30 notifications to its customers.

Commissioner P. Gupta noted that further investigation is needed to better understand the pricing and rate structure being offered for cable and broadband services and the perception of one service being provided albeit separate services.

Mr. Garcia reiterated the fact that Comcast is in business to provide services to consumers. He is also going to ask about the matter Mr. O'Brien needs involving outages. He needs to be prepared to thoroughly answer Commission's questions.

Chair Alcorn asked of Comcast's service around the bay area and if high-speed boardband is offered. Mr. Garcia noted that Comcast has coverage around the bay area. He estimates that 60 percent bay area community are still being integrated for high-speed boardband services.

Mr Dennis Graham, 1592 Fallen Leaf Drive, Milpitas. He experienced service outage from May 2 to May 10 during a rainstorm incident that took his cable and Internet service offline. He experienced was very frustrating to get any kind of response to address his cable and Internet service outage. He wrote every possible person relating for his situation. He added that he would provide a copy of he letter for the Commission's records. Staff did receive copy of Mr. Graham's letter outlining his experience with Comcast.

Commission Lam noted that cable and Internet service cannot be handled simultaneously. Which leads scheduling conflicts and rescheduling of appointments. Adding that this feature must improved to provide better quality to the consumers.

Mr. O'Brien final comments noted that cable and Internet services pricing related and that more should be done to have the two service watched over.

For the record, Chair Alcorn has experienced minimal slow down with his Comcast broadband service in Milpitas as a longtime user.

Motion to note, receipt and file.

2. AT&T Wireless Antenna 1545 Barber Lane.

Staff introduced Kim Duncan from the city's planning department and provided a summary of the proposed antenna request from AT&T wireless at existing location at 1545 Barber Lane.

Chair Alcorn reported that former Telecom Commissioner George Washburn reviewed the project and found no outstanding issues other than the requirement to have proper placement of placards notifying emergency personnel of radiation hazards and contact information. AT&T was agreeable to the needed changes and proper placard placement for this project.

The representative from AT&T Wireless did note for the record that the name of the current company would be changing. There is no status when the actual name change would take place.

Motion to approve the project with the condition that an updated questionnaire is submitted and that proper notification be placed the fire control point of the facility for public safety necessity.

3. Update of cable franchise Comcast Cable.

Deputy CIO, Terry Medina, provided a summary of current activities involving the cable television franchise with Comcast cable.

Staff reported that multiple languages have been made available for the upcoming cable television telephone survey of 400 Milpitas residents. The survey information will also be made available on the city's web site.

The city's cable consultants have been working to receiving desk audit information from the cable company to complete its review of the franchise. Staff is still working on the audit.

The City has received a draft agreement of the cable television franchise and is in the process of evaluating the document.

Staff is also working on a review of the city's public, educational and government cable channel needs as part of the cable franchise agreement for future expansion and coverage. Input is also being sought from the school district and the public.

The goal for this review will be to have it completed and finalized for presentation to the city council by October 2003.

Commissioner Mathur noted that bundling services matter what protections are being considered for pricing differences if subscribers do not want bundling.

Staff noted that protection language could be added into the franchise; however, there is no guarantee that it could be integrated. Staff is researching other possible telecommunications services that could be offered to residents.

Commissioner Mathur is seeking clauses that would add price protections to consumers from companies like Comcast offering. Staff would pose the question to the city attorney's office.

Motion to note, receipt and file.

M/S N. Gupta/V. Mathur

Ayes: 7

#### 4. May '03 Monthly I.S. Report

Deputy CIO, Terry Medina, gave a summary on the activities of the Information Services Department for the month of May.

Some of the highlights included; the roll out of web streaming technology over the city's web site starting on July 1 along with audio coverage on the radio 1620 AM.; testing of the video conferencing network between all city fire stations and city hall; applicant review for the city's computer aided dispatching software upgrade and ongoing review of selected vendors; ongoing expansion of the city's geographical information system data base including street utilities, sewers and water lines, as well as the city's Megan's Law data base, economic development information and the fire department's hazardous materials information. Staff added that the Milpitas GIS base map program is being used a pilot project by the State of California and Ventura County to demonstrate its capabilities.

Chair Alcorn requested staff that the Commission be given a updated demonstration of the city's GIS software and data base at a future meeting.

Motion to note receipt and file.

M/S N. Gupta/V. Mathur

Ayes: 7

#### 5. Round Table Discussion.

Chair Alcorn reported seeing the Milpitas OES mobile vehicle around the Milpitas community and saw former Telecom Commission Washburn driving the vehicle.

Commissioner P. Gupta reported that he was working with a business in wireless network-switching technology and would report back to the Commission on its future development.

Vice Chair N. Gupta and Commissioner Mathur reiterated the need to have Mr. Garcia with Comcast to provide quarterly

reports back to the Commission as a response on the number complaints that was heard this evening. Commissioner Lam also requested that a technical staff member be available at a future meeting.

Commissioner Mathur requested that Comcast continue to provide its quarterly reports and make this a standing discussion item. Commissioner P. Gupta requested that Comcast and its staff be prepared to answer the groups questions.

Chair Alcorn proposed to the Commission consider have representatives from telecommunications providers like SBC and Comcast give presentations to on its current services. The goal would be for the Commission to understand how each technology works and knowing what is available to Milpitas residents.

Commissioner Munir added he wanted to see what areas of local regulation could be used on theses industries. If it is possible based on FCC regulations.

### **VIII. Adjournment of Meeting**

Chair Alcorn requested a motion to adjourn to Monday, July 21, 2003.

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